



12/07/2006 5:02 FAX

001

PART B - FEE(S) TRANSMITTAL

DEC 07 2006

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or **Fax** (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

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09/07/2006

WILSON SONSINI GOODRICH & ROSATI
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PALO ALTO, CA 94304-1050

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Ann Lygas	(Depositor's name)
<i>Ann Lygas</i>	(Signature)
December 7, 2006	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,044	09/11/2003	Subhra Chakrabarti	078200-0305447	8318

TITLE OF INVENTION: ANTIBODIES THAT RECOGNIZE HYPERPROLIFERATIVE CELLS AND METHODS OF MAKING AND USING SAME

APPL. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$200 \$1400	\$300	\$0	\$1000 \$1700	12/07/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
JOYCE, CATHERINE	1642	424-133100

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev. 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 3 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. Wilson Sonsini

2. Goodrich + Rosati

3. _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY) SAN DIEGO CA 01 FC:1501 1400.00 DA

Shantha West, Inc.

SAN DIEGO CA 01 FC:1501

1400.00 DA

02 FC:1504 300.00 DA

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private entity ☐ Government

4a. The following fee(s) are submitted:

- ☒ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☒ Advance Order - # of Copies 8

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 23-2415 (enclose an extra copy of this form).

5 Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.
- ☒ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Russell T. Boggs

Date

12/7/06

Typed or printed name

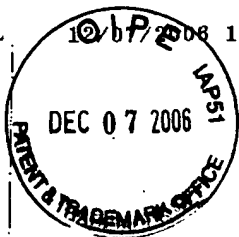
Russell T. Boggs

Registration No.

55,011

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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10/6/2006 15:02 FAX

002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Patent Application of:	Group Art Unit: 1642
Applicants: Subhra Chakrabarti, et al.	Confirmation No.: 8318
Serial No.: 10/662,044	Examiner: Catherine Joyce
Filed: September 11, 2003	<u>Certificate of Transmission</u>
Title: ANTIBODIES THAT RECOGNIZE HYPERPROLIFERATIVE CELLS AND METHODS OF MAKING AND USING SAME	I hereby certify that the attached Notification of Error in Payment of Fees as a Small Entity Under 37 CFR 1.28(c) and Notice of Change in Small Entity Status Under 37 CFR 1.27(g)(2) is being facsimile transmitted to the USPTO (571_273-2885 on December 7, 2006.
Docket No.: 31302-702.201	By: <u>Ann Lygas</u> Ann Lygas

**NOTIFICATION OF ERROR IN PAYMENT OF FEES AS A SMALL ENTITY
UNDER 37 C.F.R. 1.28(c) AND NOTICE OF CHANGE IN SMALL ENTITY STATUS
UNDER 37 C.F.R. 1.27(g)(2)**

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the requirements of 37 C.F.R. § 1.28(c) and 1.27(g)(2), Applicants hereby notify the U.S. Patent and Trademark Office that the above-identified patent application is not entitled to small entity status. Applicants believe that a small entity assertion was erroneously filed in this application. This assertion of small entity status and the payment of fees as a small entity was made in good faith. It has now been established that such status as a small entity was established in error in good faith as follows: Applicants erroneously, but in good faith, believed themselves entitled to small entity status, and have now discovered that this is not so.

Applicants submit herein payment of the deficiency. To conform with the requirements of 37 CFR § 1.28(c)(2)(ii) the deficiencies are itemized below.

10/662,044

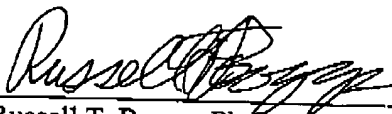
<u>Fees Erroneously Paid as a Small Entity</u>	<u>Fees Actually Paid as a Small Entity</u>	<u>Deficiency Owed</u>
Filing fee paid on 9/11/03	\$ 385.00	\$ 405.00
Fee for excess claims paid on 8/5/04	\$ 684.00	\$2,516.00
Fee for multiple claims paid on 8/5/04	\$ 145.00	\$ 215.00
Fee for independent claims in excess of 3 paid 8/5/04	\$ 129.00	\$ 471.00
Surcharge for late filing of oath paid 8/5/04	\$ 65.00	\$ 65.00
5-month extension fee paid on 9/11/03 (missing parts)	\$1,005.00	<u>\$1,155.00</u>
Total deficiency owed		\$4,827.00

The Commissioner is authorized to charge the amount of \$4,827.00 and any additional fees which may be required, including petition fees, or credit any overpayment to Deposit Account No. 23-2415 (Docket No. 31302-702.201).

Respectfully submitted,
WILSON SONSINI GOODRICH & ROSATI

Dated: December 7, 2006

By:


Russell T. Boggs, Ph.D.
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10/662,044